IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1521 (S/S) of 2005

Munshi Yadav
Son of Ram Naresh Yadav,
Working as Junior Engineer
In II Project Division,
Uttaranchal Pey Jal Nigam,
Bhikyasen, District – Almora ……Petitioner.

Versus

1. Managing Director, Uttaranchal Pey Jal Nigam, Dehradun
2. Chief Engineer, Uttaranchal Pey Jal Nigam, Dehradun.
3. Executive Engineer – II, Project Division, Uttaranchal Pey Jal Nigam, Bhikiyasen, District-Almora.
4. U.P. Jal Nigam through its Mnaging Director, 6, Rana Pratap Marg, Lucknow.
5. State Advisory Committee constituted under Section 76 of Reorganization Act, Vikas Bhawan, U.P., Lucknow.

Hon'ble M.M. Ghildiyal, J:

Heard Sri S.S. Yadav, learned counsel for the petitioner, Sri D.S. Patni, learned counsel for respondents no. 1 to 3 and Sri Sudhir Singh, learned counsel for respondent no. 4.

Petitioner, who is Junior Engineer in Uttaranchal Pey Jal Nigam, has challenged the order dated 30.09.2005 passed by respondent no. 1, transferring he petitioner from Uttaranchal Pey Jal Nigam to U.P. Jal Nigam.

Learned counsel for the petitioner has submitted that petitioner is working in the hill area for the last 24 years though he belongs to Azamgarh, U.P. He has opted for Hill Sub Cadre on 30.01.1999 and the option of the petitioner for Uttaranchal Pey Jal Nigam should have been accepted by the

authorities concerned in view of the various Government Orders issued by Government of India.

Without going into the merit, I think it just and proper to direct the Managing Director, Uttaranchal Pey Jal Nigam to take final decision on the petitioner representation dated 03.10.2005 (annexed as Annexure no. 8 to the writ petition) within a period of four weeks from the date of production of certified copy of this order. Till the final decision is taken by the Managing Director, Uttarancha Pey Jal Nigam on the petition's representation, petition may not be relieved, in case, he has not already been relieved.

With this direction the writ petition is disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

October 18,2005
SKSharma